

Panaji, 5th August, 2010 (Sravana 14, 1932)

SERIES I No. 19

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA



PUBLISHED BY AUTHORITY

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### GOVERNMENT OF GOA

Department of Education, Art &amp; Culture

Directorate of Education

#### Notification

DE/Acad/COMPTR./Amendment/2010

Whereas certain draft rules which the Government of Goa proposed to make in exercise of the powers conferred by section 29 of the Goa, Daman & Diu School Education Act, 1984 (Act 15 of 1985), so as to further amend the Goa, Daman & Diu School Education Rules, 1986, were pre-published as required by sub-section (1) of section 29 of the said Act, 1984 in the Official Gazette, Series I No. 15 dated 8-7-2010, under Notification No. DE/Acad/COMPTR./Amendment/2010 dated 1-7-2010, of the Department of Education, Art & Culture, Directorate of Education, inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of publication of said Notification in the Official Gazette.

And whereas the said Gazette was made available to the public on 8-7-2010.

And whereas no objections and suggestions were received from the public on the said draft amendment rules.

Now, therefore, in exercise of the powers conferred by section 29 of the Goa, Daman & Diu School Education Act, 1984 (Act 15 of 1985), the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman & Diu School Education Rules, 1986, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa School Education (Amendment) Rules, 2010.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Amendment of rule 78.*— In rule 78 of the Goa, Daman and Diu School Education Rules, 1986, in the TABLE, after serial number 11 and the entries relating thereto, the following serial number and entries shall be added, namely:—

"12.	Computer Teacher	40 years	<p><i>Essential:</i>—</p> <p>(1) Graduate in any Discipline/ Degree or Diploma in Electrical or Computer Engineering from recognized University/Institution.</p> <p>(2) Atleast three (03) years experience in the field of imparting computer training/ education.</p> <p><i>Note:</i> In case of candidates having qualifications other than BCA, MCA/Diploma or Degree in Computer Engineering from a recognized University/Institution, such candidates shall have to complete Post Graduate Diploma in Computer Education and Training (PGDCET) within 05 years of their appointment/ engagement.</p> <p>(3) Knowledge of Konkani.</p> <p><i>Desirable:</i>- Knowledge of Marathi.</p>	N.A.	Rs. 9300-34800+ +Grade Pay Rs. 4200".
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By order and in the name of the Governor of Goa.

Dr. Celsa Pinto, Director (Education).

Panaji, 4th August, 2010.

## Goa Legislature Secretariat

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LA/LEGN/2010/1704

The following bill which was introduced in the Legislative Assembly of the State of Goa on 30th July, 2010 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

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The Goa Co-operative Societies  
(Amendment) Bill, 2010

(Bill No. 17 of 2010)

A

## BILL

*further to amend the Goa Co-operative Societies (Amendment) Act, 2001 (Goa Act 36 of 2001).*

Be it enacted by the Legislative Assembly of Goa Co-operative Societies (Amendment) Act, 2010.

1. *Short title and commencement.*— (1) This Act may be called the Goa Co-operative Societies (Amendment) Act, 2010.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of Section 52.*— In section 52 of the principal Act, for clause (b), the following clause shall be substituted, namely:—

(a) At least 20% shall be transferred to a deficit fund for meeting unforeseen deficits;

3. *Amendment of section 59.*— In section 59 of the Principal Act,—

(a) sub-section (6A) shall be omitted;

4. *Amendment of section 76A.*— In section 76A of the principal Act, in sub-section (1), for the expression “or of his own motion, by himself, or by a person duly authorized by him in writing in this behalf, undertake inspection”, the expression “undertake inspection of a society and authorize any person, by order in writing, to make an inspection”, shall be substituted.

## Statement of Objects and Reasons

The earlier amendments carried out to the Goa Co-operative Societies Act, 2001 has not achieved the desired objectives and may result in collapse of the co-operative movement in Goa. In order to give an impetus and proper direction to the co-operative movement the amendments to sections 52, 59 and 76 as proposed in the current Bill is desired to attain these objectives.

## Financial Memorandum

No financial implication is involved in this Bill.

## Memorandum of Delegation Legislation

Delegated Legislation is envisaged which is of normal character.

Porvorim-Goa,  
14<sup>th</sup> July, 2010.

MANOHAR PARRIKAR  
Leader of the Opposition

Porvorim-Goa,  
14<sup>th</sup> July, 2010.

J. N. BRAGANZA  
Secretary

## ANNEXURE

**The Goa Co-operative Societies (Amendment)  
Bill, 2010**

52. *Disposal of net surplus.*— The society shall prepare its Annual Financial Statement and arrive at its surplus or deficit. <sup>15</sup>[if provided in it's bye-laws, the society shall, out of it's net surplus] arising from its business in any year, make deferred payment to its members as patronage refund in proportion to the contribution of the members to such business an amount not less than 20% and not exceeding 50% of such surplus. The balance of net surplus shall be appropriated in the following manner:—

(b) At least 20% shall be transferred to a deficit fund for meeting unforeseen deficits;

59. *Board of directors.*— (1) The management of every society shall vest in a board of directors constituted in accordance with this Act, the rules and bye-laws, which shall exercise such powers and perform such duties as may be conferred or imposed by this Act, the rules and the bye-laws.

(6) Every director and employee of a society while exercising his powers and discharging his duties shall,—

(a) act honestly and in good faith and in the best interests of the society, and

<sup>28</sup>[76A. *Enquiry and/or Inspection of societies.*—

(1) The Registrar may, on the request made by a creditor or federal Institution or not less than one third of the total number of members of the board of directors or not less than one fifth of the total number of members, of a society, undertake inspection of a society and authorize any person, by order in writing, to make an inspection and inquiry into the constitution, working and financial condition of such society and submit a report thereon.

Assembly Hall,  
Porvorim, Goa.  
14<sup>th</sup> July, 2010.

J. N. BRAGANZA  
Secretary

LA/LEGN/2010/1740

The following bill which was introduced in the Legislative Assembly of the State of Goa on 3rd August, 2010 is hereby published for general information in pursuance of Rule - 138 of the Rule of Procedure and Conduct of Business of the Goa Legislative Assembly.

## The Goa Prohibition of Ragging (Amendment) Bill, 2010

(Bill No. 18 of 2010)

A

BILL

*to amend the Goa Prohibition of Ragging Act, 2008 (Goa Act 9 of 2009).*

BE it enacted by the Legislative Assembly of Goa in the Sixty-first Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Prohibition of Ragging (Amendment) Act, 2010.

(2) It shall come into force at once.

2. *Amendment of section 3.*— In section 3 of the Goa Prohibition of Ragging Act, 2008 (Goa Act 9 of 2009) (hereinafter referred to as the “Principal Act”), after clause (viii), the following clauses shall be inserted, namely:—

“(ix) Every educational institution shall engage or seek the assistance of professional counsellors, at the time of admission, to counsel freshers in order to prepare them for the life ahead, particularly for adjusting the life in hostels;

(x) On the arrival of seniors after the first/second week, of academic session, further orientation programmes shall be scheduled, as follows:—

(a) joint sensitization programme and counselling of both freshers and seniors’ by professional counsellors;

(b) joint orientation programme of freshers and seniors to be addressed by the head of the educational institution and the Anti-Ragging Committee;

(c) organization on a large scale of cultural sports and other activities to provide a platform for freshers and seniors to interact in the presence of faculty members;

(d) in the hostel, the warden shall address all students; and he may request two junior colleagues from the college faculty to assist him by becoming resident tutors for a temporary duration;

(e) as far as possible faculty members should dine with the hostel residents in their respective hostels to instil a feeling of confidence among the freshers.

(xi) the private commercially managed lodges or hostels outside campus shall, on the recommendation of concerned head of

educational institution, be registered with the local police authorities. No such lodge or hostel shall be started without the permission of the concerned head of the educational institution. The local police, local administration and institutional authorities shall ensure vigil on any incident of ragging. The management of such private lodge or hostel shall be responsible for reporting cases of ragging in such premises. Non-reporting of such cases shall entitle the head of the educational institution to cancel the permission issued.

(xii) the educational institution shall ensure that each hostel has a full time warden who resides within the hostel, or at least in close vicinity thereof. The warden shall be accessible at all hours and also on telephone and other modes of communication. The warden shall be issued mobile phone by the institution and the number of such phone shall be given wide publicity.

(xiii) the head of the educational institution shall obtain an undertaking from every employee of the institution including teaching and non-teaching members of staff, contract labourers employed in the premises either for running a canteen or as watch and ward or for cleaning or maintenance of the buildings/lawns, etc., that he/she shall report promptly any case of ragging which comes to his/her notice. Certificates of appreciation shall be issued to such members of the staff who report ragging, which shall form part of their service record".

3. *Insertion of new section 3A.*— After section 3 of the principal Act, the following section shall be inserted, namely:—

"3A.— *Monitoring cell, anti-ragging committee, etc.*— (1) Every educational institution shall have an Anti-Ragging Committee and an Anti-Ragging Squad. The Anti-Ragging Committee at the level of the institution shall consist of representatives of civil and police administration, local

media, Non-Government Organizations involved in youth activities, representatives of faculty members, representatives of parents, representatives of freshers, seniors and non-teaching staff. Such committee shall be headed by the head of the educational institution.

(2) There shall be Anti-Ragging Squad, a body with vigil, oversight and patrolling functions, to be nominated by the head of the educational institution with such representatives as considered necessary to keep it mobile, alert and active at all time. The squad may be called upon to make surprise raids on hostels and other hot spots and shall be empowered to inspect places of potential ragging. The Squad shall work under the overall guidance of Anti-Ragging Committee. The Squad shall not have any outside representation and shall consist of members belonging to the various sections of the campus community. There shall be diverse mix of membership in terms of levels as well as gender in both the Anti-Ragging Squad and the Anti-Ragging Committee.

(3) There shall be a District Level Anti-Ragging Committee in each district headed by the District Magistrate, consisting of heads of educational institutions, Superintendent of Police, representatives of the local media, District level Non-Government Organizations actively associated in youth development programmes and of all students organizations, as members. The Additional District Magistrate shall be a Member Secretary of the District Level Anti-Ragging Committee.

The District level Anti-Ragging Committee shall hold preparatory meetings during the summer vacation to take stock of the state of preparedness of each institution and their compliance with the policies, directions and guidelines in regard to curbing the menace of ragging.



(4) There shall be a Monitoring Cell in the Goa University which shall co-ordinate with the affiliated colleges and institutions under its domain. The cell shall call for reports from the heads of the educational institutions in regard to the activities of the Anti-Ragging Committee, Anti-Ragging Squads, Monitoring Cells at the level of the institutions, the compliance with instructions on conducting orientation programmes, counselling sessions, the incidents of ragging, the problems faced by wardens or other officials. It shall also keep itself abreast of the decisions of the District level Anti-Ragging Committee. This Monitoring Cell shall also review the efforts made by institutions to publicize anti-ragging measures, soliciting of undertakings from parents and students for each academic year to abstain from ragging activities or willingness to be penalized for violations; and shall function as the prime mover for initiating action on the part of the appropriate authorities of the Goa University for amending its Statutes or ordinances or bye-laws to facilitate the implementation of anti-ragging measures at the level of the institutions.

(5) At the State level, there shall be a Monitoring cell at the level of the Chancellor of the Goa University who may also co-ordinate with the Central Government institutions located in the State of Goa.

The monitoring cell in the Goa University and District Level Anti-Ragging Committees shall send to the State Level Monitoring Cell, status reports, periodically and at such frequencies that it may lay down".

#### Statement of Objects and Reasons

The Hon'ble Supreme Court of India in its Judgment delivered on 8th May, 2009, in the Civil Appeal No. 887 of 2009, between University of Kerala and Council of Principals' of Colleges, Kerala and others has held that it

becomes necessary to implement the recommendations made by the Raghavan Committee, as mentioned in said Judgment, in the educational institutions.

In view of said Judgment the Bill seeks to amend section 3 and insert a new section 3A in the Goa Prohibition of Ragging Act, 2008 (Act 9 of 2009), to implement the said recommendations of Raghavan Committee, in the State of Goa.

This Bill seeks to achieve the above object.

#### Financial Memorandum

No financial implications are involved in this Bill.

#### Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim, Goa.  
21st July, 2010.

ATANASIO MONSERATTE  
Minister for Education

Assembly Hall,  
Porvorim, Goa.  
21st July, 2010.

J. N. BRAGANZA  
Secretary to the  
Legislative Assembly

#### ANNEXURE

#### Extract of Section 3 of Goa Prohibition of Ragging Bill, 2008

3. *Anti-ragging movement.*— It shall be the duty of every educational institution to prevent or deter the commission of ragging and shall initiate anti-ragging movement by taking all steps required. Without prejudice to the aforesaid,—

- (i) the prospectus, the form for admission and/or any other literature issued to the aspirants for admission shall clearly mention that ragging is banned in the institution and anyone indulging in ragging is likely to be punished;

- (ii) the application form for admission/ /enrolment shall have a printed undertaking to be filled up and signed by the student to the effect that he/she is aware of the institution's approach towards ragging and the punishments to which he/she shall be liable if found guilty of ragging. A similar undertaking shall be obtained from the parent/guardian of the student;
- (iii) the educational institution shall display on the notice board, the name and addresses and the contact numbers of the persons, to whom the freshers in the institution should approach for help and guidance for various purposes keeping in view needs of freshers in the institution at the time of admission so that the fresher need not look up to the seniors for help in such matters and feel indebted to or obliged by them;
- (iv) Head of the educational institution or a person high in authority shall address meetings of Professors, Lecturers, Instructors, teachers, parents and students collectively or in groups and create confidence by apprising them of their rights as well as obligations to fight against ragging, insisting on freshers to report to the Head of educational institution and/or proctorial committee, any instance of ragging and to generate confidence in their mind and that any instance of ragging to which they are subjected to or which comes in their knowledge shall be promptly dealt with, while protecting the complainant from any harassment by the perpetrators of ragging;
- (v) at the commencement of the academic session, the educational institution should constitute a Proctorial Committee consisting of Senior Faculty members and hostel authorities like Wardens and a few responsible senior students:—
- a) to keep a continuous watch and vigil over ragging so as to prevent its occurrence and recurrence;
- b) to promptly deal with the incidents of ragging brought to its notice and summarily punish the guilty, either by itself or by putting forth its finding/ /recommendations suggestions before the authority competent to take decision;
- (vi) all vulnerable locations shall be identified and especially watched;
- (vii) the local community and the students in particular shall be made aware of the dehumanizing effect of ragging inherent in its perversity. Posters, notice boards and signboards etc., wherever necessary, may be used for the purpose;
- (viii) migration certificate issued by the educational institution should have an entry apart from that of general conduct and behaviour whether the student had indulged in ragging and in particular was punished for ragging.

Assembly Hall,  
Porvorim, Goa.  
21st July, 2010.

J. N. BRAGANZA  
Secretary to the  
Legislative Assembly



### Department of Panchayati Raj & Community Development

Directorate of Panchayats

#### Notification

25/7/DEV/VOL.V/2010

- Read: (1) Government Notification No. 25/7/ /8/DEV/VOL.V/2004 dated 23-11-2004, published in the Official Gazette, Extraordinary No. 2 Series I No. 34 dated 23-11-2004.
- (2) Government Notification No. 25/7/ /8/DEV/VOL.V/2007 dated 10-9-2007, published in the Official Gazette, Series I No. 24 dated 13-9-2007.
- (3) Government Notification No. 25/7/ /8/DEV/VOL.V/2009 dated 26-11-2009, published in the Official Gazette, Series I No. 36 dated 4-12-2009.

Whereas the Government of Goa has framed a Scheme called the Goa Panchayat

Raj exercise of functions by the Government from the Schedules I and II appended to the Act, vide Notitication No. 25/7/8/DEV/VOL.V/2004 dated 23-11-2004, published in the Official Gazette, Extraordinary No. 2, Series I No. 34 dated 23rd November, 2004 (hereinafter called as the "said Scheme");

And whereas the Government has deemed it expedient to amend the said Scheme.

Now, therefore, in pursuance of section 244 A of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) read with section 21 of the General Clauses Act, 1897 (Central Act 10 of 1897), the Government of Goa hereby amends the said Scheme, as follows, namely:—

1. *Substitution of clause 7.*— For clause 7 of the said Scheme, the following clause shall be substituted, namely:—

"7. *Execution of works.*— (1) The Director, on obtaining the approval from the Finance Department, may execute the work through the Directorate of Panchayats or through the Executing Agency. In case it is decided to execute the work through the Executing Agency, the Director shall send all the relevant papers pertaining to the estimates, technical sanction alongwith the copy of the sanction order to the Executing Agency for executing the works as may be mutually agreed upon under intimation to the concerned Block Development Officer.

(2) In case it is decided to execute the work through the Directorate of Panchayats, the Director shall follow the procedure as laid down in the CPWD manual for undertaking the execution of works.

(3) The Chief Engineer or any competent engineer of the Executing Agency duly authorized by the Chief Engineer shall follow the same procedure as laid down in the CPWD manual for undertaking the execution of works as Deposit Works.

(4) The Director or the Executing Agency, as the case may be, shall get the proposed works identified through the concerned Block Development Officer and thereafter invite tenders.

(5) In case the tendered amount is 10% above the estimated cost or below the estimated cost, the Director or the Executing Agency, as the case may be, shall seek the approval of the Government before issuing the work orders.

(6) In case it is decided to execute the work through the executing agency, the funds to the extent of 100% of the sanctioned amount shall be placed at the disposal of the Chief Engineer. The Executing Agency shall also be reimbursed with specified departmental charges for management of the construction works."

2. *Amendment of clause 8.*— In clause 8 of the said Scheme, in sub-clause (1), for the words "Executing Agency", the expression "Director or the Executing Agency, as the case may be," shall be substituted.

This Notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

*Menino D'Souza*, Director of Panchayats and ex officio Joint Secretary.

Panaji, 23rd July, 2010.



Department of Personnel



**Notification**

1/5/2006-PER

Read: Government Notification No. 1/5/2006-PER dated 22-9-2006, published in the Official Gazette, Series I No. 25 dated 25-9-2006.

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of



India, read with section 21 of the General Clauses Act, 1897 (Central Act 10 of 1897), the Governor of Goa hereby amends the Government of Goa, Directorate of School Sports under the Directorate of Education, Group 'A', Gazetted post, Recruitment Rules, 2006, published in the Official Gazette, Series I No. 25 dated 25-9-2006, vide Notification No. 1/5/2006-PER dated 22-9-2006 (herein-after called as the "said Recruitment Rules"), as follows, namely:—

In the Schedule appended to the said Recruitment Rules, in column 12, for the letters and figures "D.P.C./D.S.C.", the letters and figures "D.P.C." shall be substituted.

By order and in the name of the Governor of Goa.

*Yetindra M. Maralkar*, Joint Secretary (Personnel).

Porvorim, 27th July, 2010.

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Department of Public Works

Office of the Principal Chief Engineer

**Order**

50/1/2010/PCE-PWD-ADM(II)/103

Sanction of the Government is hereby accorded for creation of one post of Project

Director for JICA Project in the pay scale of Rs. 37000-67000 with immediate effect for a period upto January, 2014.

The salary will be drawn from the Budget Head (I) 4215—Capital Outlay on Water Supply & Sanitation, 01—Water Supply, 101—Urban Water Supply, 12—External Assistance for Water Supply & Sanitation, 53—Major Works and (II) 4215—Capital Outlay on Water Supply & Sanitation, 02—Sewerage & Sanitation, 106—Sewerage Scheme, 12—External Assistance for Water Supply & Sanitation, 53—Major Works.

This issues with the concurrence of Finance (Revenue & Control) Department and Administrative Reforms Department vide their U. O. No. 1450/F dated 19-5-2010 and No. 766/F dated 18-5-2010 respectively.

By order and in the name of the Governor of Goa.

*A. M. Wachasundar*, Principal Chief Engineer & ex officio Additional Secretary (P.W.D.).

Panaji, 30th June, 2010.